

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	4:09CR3089
Plaintiff,)	
)	
V.)	MEMORANDUM AND ORDER
)	
STEVEN J. GRAY,)	
)	
Defendant.)	

The defendant has moved for a thirty-day continuance of the pretrial motion deadline. (Filing No. [17](#)). Defense counsel explains he did not receive discovery from the government until August 18, 2009, and he needs additional time to review the discovery and determine if pretrial motions should be filed. Counsel for the government does not oppose the defendant's motion. The court finds the defendant's motion should be granted.

IT IS ORDERED:

- 1) Defendant's unopposed motion to continue, (filing no. [17](#)), is granted, and defendant's pretrial motions and briefs shall be filed on or before September 28, 2009.
- 2) The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and September 28, 2009, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due

diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 28th day of August, 2009.

BY THE COURT:

Richard G. Kopf
United States District Judge